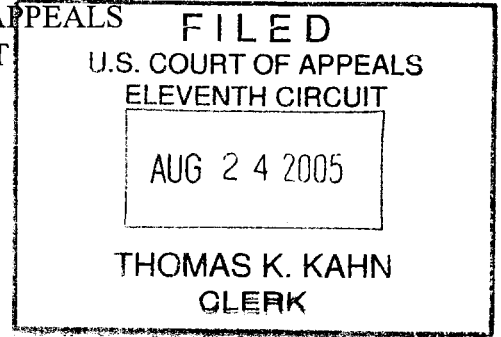


Filed at 9:30 P.M.
DATE 8/25/05
Re: Cause
DEPUTY CLERK
MIDDLE DISTRICT OF GEORGIA

THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT



No. 05-13471-B

EDGAR W. HOWARD,

Plaintiff-Appellant,

versus

GERALD JORDAN, Sergeant,
Men's State Prison,
LT. DAVIS, 1st Shift Supervisor,
Men's State Prison, et al.,

Defendants-Appellees.

Appeal from the United States District Court for the
Middle District of Georgia

ORDER:

Appellant's motion for leave to proceed on appeal in forma pauperis is DENIED. Appellant, while a prisoner, has filed three prior civil actions or appeals that have been dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted, and appellant is not currently under imminent danger of serious physical injury. Accordingly, appellant cannot proceed in forma pauperis under 28 U.S.C. § 1915. See 28 U.S.C. § 1915(g); Rivera v. Allin, 144 F.3d 719, 724 (11th Cir. 1998).

Appellant's motion for appointment of counsel, as construed from his letter to this Court dated July 1, 2005, is DENIED.

Appellant's motion to file a cassette letter tape in response to the three-strikes issue, as construed from his letter to this Court dated July 1, 2005, is DENIED because appellant has since filed a written response addressing this issue which this Court has reviewed.

If appellant wishes to proceed on this appeal, he must prepay the entire appellate filing fee within 14 days from the date of this order, otherwise, his appeal will be dismissed without further notice for want of prosecution under 11th Cir. R. 42-1(b).

/s/ Rosemary Barkett
UNITED STATES CIRCUIT JUDGE